

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION

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February 25, 2003

**FROM:** MICHAEL E. HAYS, DIRECTOR  
LAND USE SERVICES DEPARTMENT/CODE ENFORCEMENT DIVISION

**SUBJECT:** GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE  
MANAGEMENT BOARD FOR COUNTYWIDE TIRE ENFORCEMENT

**RECOMMENDATION:** Ratify submission of a grant application to the California Integrated Waste Management Board (CIWMB) for countywide waste tire enforcement, in an annual amount of \$150,000 for up to five years.

**BACKGROUND INFORMATION:** Senate Bill (SB) 876 (Escutia, Statutes of 2000, Chapter 838) requires the California Integrated Waste Management Board (CIWMB) to consider designating a city or county, or city and county as the enforcement authority of regulations relating to the storage and handling of waste and used tires. It also requires that if the CIWMB designates a local entity for this purpose, it provides sufficient, stable, and noncompetitive funding as provided in the *Five-year Plan for the Waste Tire Recycling Management Program (Five-Year Plan)*. A \$1.00 fee on new tires sold in California provides funding for the Waste Tire Enforcement Grant program.

At its March 20-21, 2001 meeting, the CIWMB adopted the *Five-Year Plan for the Waste Tire Recycling Management Program*. To encourage participation in the Waste Tire Enforcement Grant program, the *Five-Year Plan* recommended a transition from a yearly grant application process to one in which participating agencies are ensured of a stable source of funding without the need for annual application. Eligible applicants may request an annual amount up to three hundred thousand dollars, (\$300,000) with guaranteed funding for up to five years.

If the grant is awarded, Code Enforcement will investigate countywide illegal tire disposal activities, perform waste tire facilities inspections, and survey tire dealers, auto dismantlers, tire haulers, and other points of waste tire generation to ensure compliance with all applicable laws and regulations, including the new manifest system. Inspections are followed up with appropriate compliance actions to ensure that operators are following all tire facility regulations, including storage standards, use of registered tire haulers, and manifest requirements. Based on the current state listings, approximately 616 tire establishments exist within San Bernardino County. These businesses will be inspected two times per year.

The purpose of Code Enforcement obtaining the waste tire enforcement grant is to assure businesses are properly educated and in compliance with state laws. Also, it will reimburse any costs associated with waste tires received from community cleanups and illegal dumpings currently being conducted countywide. Currently, the tires received from community cleanups and illegal dumpings are transported via licensed hauler to Mitsubishi Cement Plant in Lucerne Valley to be used as an alternative fuel source for the plant operation, thus avoiding disposal in a landfill.

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Additional Code Enforcement staff will not be required to conduct facility inspections. This workload can be integrated into their daily activities with no significant impact to the current level of services.

County policy requires that a grant application be approved by the Board of Supervisors prior to submission to the grantor agency. The draft grant application was reviewed by the County Administrative Office in time for the December 13, 2002 filing deadline. However, due to the late November 2002 notification of Code Enforcement's eligibility, there was insufficient time to present an agenda item to the Board of Supervisors prior to submission. Therefore, Land Use Services Department, Code Enforcement Division, requested and received approval from the Chairman of the Board of Supervisors on December 12, 2002 to submit the grant application, subject to future ratification. This action would formally approve the grant application previously authorized by the Chairman.

**REVIEW BY OTHERS:** This agenda item has been reviewed by Deputy County Counsel, Matthew Marnell on February 5, 2003, Contract Compliance Coordinator Ruth Rice on February 11, 2003, and by the County Administrative Office, Patricia M. Cole, Administrative Analyst III, on February 13, 2003.

**FINANCIAL IMPACT:** There is no financial impact of this action. If the grant is awarded, Land Use Services Department (LUSD) will request the Board of Supervisors to accept the grant and make the necessary adjustments to AAA-CEN appropriations and revenue.

**SUPERVISORIAL DISTRICT:** All

**PRESENTER:** Paul B. Tavares, Division Chief - Code Enforcement Division, 387-9050

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